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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,995	10/20/2003	Christian Bregaint	244190US2X	1369
22850	7590	06/22/2005		EXAMINER
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				BENSON, WALTER
			ART UNIT	PAPER NUMBER
			2858	

DATE MAILED: 06/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/687,995	BREGAINT ET AL.
<b>Examiner</b>	<b>Art Unit</b>	
Walter Benson	2858	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 4/13/05.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-8, 11-20 and 22-25 is/are rejected.
- 7) Claim(s) 9, 10 and 21 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 20 October 2003 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10/20/03.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

**DETAILED ACTION**

1. Amendment A, received on 4/13/05, has been entered into record. In this amendment, claims 15-25 have been added.
2. Claims 1-25 are now pending.

***Specification***

3. The disclosure is objected to because of the following informalities:  
Item 100<sup>b</sup>, shown in Figure 5 is not described in the specification.  
Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-7, 11-20, and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mehr-Ayin et al. (US Patent No. 5, 146,172 and Mehr-Ayin hereinafter in view of Roberts Et al. (US Patent No 6,570,385 B1 and Roberts hereinafter)

6. As to claims 1-7, 11-20, and 22-24, Mehr-Ayin discloses a reader appliance for reading identification connectors for airplane engines, the connector comprising:

a plurality of contacts connected to a decoding circuit, each contact corresponding to a binary digit, one or more of the binary digits corresponding to information relating to characteristics of the engine [claims 1,15] (col.3, lines 17-21 and col. 4, lines 11-20);

the appliance including connection means suitable for receiving at least one identification connector [claims 1, 15] [col. 11, lines 46-49];

where the processor means include software means for decoding information relating to characteristics of the engine from the binary data read in the identification connector [claim 2] (col. 9, lines 40-44);

where the identification connector is a multipin connector, and wherein the connection means of the appliance comprise at least one multipin connector suitable for receiving the identification connector [claim 5] (col. 11, lines 46-50);

where the connection means comprise at least one connector for receiving respectively at least one specific model of identification connector [claim 6] (col. 11, lines 46-47);

where the processor means include software means for detecting the model of identification connector that is connected to the appliance [claims 7, 16] (Abstract lines 1-4); means for updating the processor means [claim 13] (col. 4, lines 17-20).

Mehr-Ayin did not expressly disclose:

the connection means being connected to processor means responding to control members in order to display on a display device the information contained in the connector [claims 1, 15];

a reader appliance having the control members comprise at least one button for causing information encoded in the identification connector connected to the reader appliance to be displayed, successive items of information being displayed in response to successive presses on the button [claims 3, 11];

where the control members comprise software means enabling information to be displayed automatically [claims 4, 12];

including self-contained power supply means [claim 14];

a self test button configured to initiate a self test of the processor [claim 17];

where the processor is further configured to automatically decode the plurality of information sequentially and the display is configured to display the plurality of information decoded by the processor [claim 18];

where the appliance is portable and the identification connector is removable from the engine [claims 19, 20];

a link unit connected to the processor, the link unit being configured to update the processor [claim 22];

where the link unit is a serial R5232 port [claim 23];

an input/output interface connecting the identification connector to the processor via a bus [claim 24];

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Mehr-Ayin, as evidenced by Roberts.

Roberts discloses a portable handheld tester that includes a connector having:  
the connection means being connected to processor means responding to control members in order to display on a display device the information contained in the connector [claims 1, 15] (col. 6, lines 15-21) for evaluation.

a reader appliance having the control members comprise at least one button for causing information encoded in the identification connector connected to the reader appliance to be displayed, successive items of information being displayed in response to successive presses on the button [claims 3, 11] (col. 14, lines 4-10);

where the control members comprise software means enabling information to be displayed automatically [claims 4, 12] (col. 14, lines 30-33);  
including self-contained power supply means [claim 14] (col. 12, lines 30-32);  
a self test button configured to initiate a self test of the processor [claim 17] (col. 13, lines 45-48);

where the processor is further configured to automatically decode the plurality of information sequentially and the display is configured to display the plurality of information decoded by the processor [claim 18] (col. 6, lines 14-16);

where the appliance is portable and the identification connector is removable from the engine [claims 19, 20] (col. 5, lines 29-31);

a link unit connected to the processor, the link unit being configured to update the processor [claim 22] (col. 6, lines 58-62);

where the link unit is a serial R5232 port [claim 23] (col. 6, lines 1-4);

an input/output interface connecting the identification connector to the processor via a bus [claim 24] (col. 6, lines 10-11);

Given the teaching of Roberts, a person having ordinary skill in the art at the time of the invention would have readily recognized the desirability and advantages of modifying Mehr-Ayin by employing the well known or conventional features of monitoring systems, such as disclosed Roberts, in order to accurately tabulate and display the data on the engine identification system provided for by Mehr-Ayin.

7. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mehr-Ayin in view of Roberts as applied to claim 1 above, and further in view of Moore (US Patent No. 4,787,053 and Moore hereinafter).

Although the system disclosed by Mehr-Ayin and Roberts shows substantial features of the claimed invention (discussed in the paragraphs above), it fails to disclose:

where the processor means include software means for testing the parity of the encoding circuit of the identification connector [claim 8];

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Mehr-Ayin in view of Roberts, as evidenced by Moore.

Moore discloses a comprehensive turbine engine monitoring and recording system having:

where the processor means include software means for testing the parity of the encoding circuit of the identification connector [claim 8] (col. 20, lines 50-57).

Given the teaching of Moore, a person having ordinary skill in the art at the time of the invention would have readily recognized the desirability and advantages of modifying Mehr-Ayin in view of Roberts by employing the well known or conventional features of monitoring systems for engines, such as disclosed Moore, in order to efficiently and accurately tabulate and display the basic data on an aircraft turbine engine.

8. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mehr-Ayin in view of Roberts as applied to claim 15 above, and further in view of Bayer et al. (US Patent No. 4,523,457 and Bayer hereinafter).

Although the system disclosed by Mehr-Ayin and Roberts shows substantial features of the claimed invention (discussed in the paragraphs above), it fails to disclose:

where the input/output interface is a diode matrix.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Mehr-Ayin in view of Roberts, as evidenced by Bayor.

Bayor discloses an engine monitoring system having:

where the input/output interface is a diode matrix (col. 3, lines 38-40).

Given the teaching of Bayor, a person having ordinary skill in the art at the time of the invention would have readily recognized the desirability and advantages of modifying Mehr-Ayin in view of Roberts by employing the well known or conventional features of monitoring systems for engines, such as disclosed Bayor, in order to digitize the data values.

***Allowable Subject Matter***

9. Claims 9, 10, and 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The prior art of record fails to teach in combination as claimed an apparatus for reading identification connectors which includes at least one protection connector containing an autotest circuit. The processor means include software means for testing the reader appliance from the auto/self test circuit of the protection connector.

***Response to Arguments***

10. Applicant's arguments with respect to claims filed, 4/13/05 have been considered but are moot in view of the new ground(s) of rejection.

11. In the remarks applicant argued in substance that:

- (1) Mehr-Ayin does not disclose a display;
- (2) Mehr-Ayin is silent on detection of a model number of identification connector;
- (3) Mehr-Ayin is silent on software to cause test results to be displayed automatically;
- (4) Mehr-Ayin is silent on means for updating processor;
- (5) Mehr-Ayin and Moore fail to provide required evidence of motivation.

12. Examiner respectfully traverses Applicant's remarks:

As to point (1), Mehr-Ayin in combination with Roberts does disclose the connection means being connected to processor means responding to control members in order to display on a display device the information contained in the connector [claims 1, 15] (col. 6, lines 15-21) for evaluation;

As to point (2), Applicant failed to consider the teaching of the Mehr-Ayin reference as a whole where the processor means include software means for detecting the model of identification connector that is connected to the appliance [claims 7, 16] (Abstract lines 1-4);

As to point (3), Mehr-Ayin in combination with Roberts does disclose where the control members comprise software means enabling information to be displayed automatically [claims 4, 12] (col. 14, lines 30-33);

As to point (4), Applicant failed to consider the teaching of the Mehr-Ayin reference as a whole wherein means for updating the processor means [claim 13] (col. 4, lines 17-20);

13. As to point 5, In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, both references disclose engine identification and monitoring systems.

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Walter Benson whose telephone number is (571) 272-2227. The examiner can normally be reached on Mon to Fri 6:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Lefkowitz can be reached on (571) 272-2180. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Walter Benson*  
Walter Benson  
Patent Examiner

June 16, 2005